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Applicant has amended the claims 1, 9, 10, 11, 13 thorough 19, 22, 28, 30, 31, 33, 36 through 39, 41, 42 and 44 and added new claim 45 and cancelled the claims 4 through 8, 29, 32 and 34. In addition, Applicant would like to point out that the amended claim 1 is essentially a combination of claims 1, 32 and 34 and the claim 45 is essentially a combination of the claims 1, 2 and 29. In addition, Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

In addition, Applicant would like to thank the Examiner for the telephonic interview and his suggestions as to preparation of this response.

The Examiner has rejected the claims 1 through 24, 28 through 33, 35 through 36 and 41 through 44 under 35 USC 102 as being anticipated by Jung et al. or under 35 USC 103 as being obvious over Jung et al. in view of Kimchy et al. stating that Jung et al. teaches all of the elements of the present invention except for a hand held probe using infrared imaging; Kimchy et al. teaches a hand held probe utilized to produce gamma rays, infrared and ultraviolet light; and it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Kimchy et al. into Jung et al.

In reply to this rejection, Applicant would like to point out that claim 1 has been amended to include the indicated allowable subject matter of claim 34 and is allowable. In addition, the claims 2, 3, 9 through 22, 36 through 43 depend directly or indirectly from the allowable claim 1 and are also all allowable. Also claims 4 through 8 have been cancelled and therefore only the claims 45, 30, 31, 33 and 40 through 44 are still subject to the rejection. Therefore, and in reply to the rejection, Applicant would like to first point out that Applicant's invention is characterized in that at least one of an exciting light, an infrared light and an ultraviolet light is irradiated to an object for producing images of the object. Still further, in Applicant's invention a white light can be irradiated and in addition a radiation driving means for selectively driving a light source is provided. Accordingly, with such a structure, in Applicant's invention a white light is used for obtaining normal observation and the light other than white light is used to obtain a characteristic image such as an image including fluorescence, thereby enabling selective use by an operator depending on the object.

With the above in mind, Applicant has carefully reviewed Jung et al. and respectfully submits that Jung et al. discloses an apparatus for measuring the light amount with different wavelengths simultaneously by means of plural sensors to measure the optical characteristics of the object. Still further, Applicant respectfully submits that Jung et al. does not disclose or suggest that the object is imaged by switching the radiation light and the Figure 24 of Jung et al. merely appears to disclose a structure in which the light amount measuring is applied to an intraoral camera (see column 36, lines 8-10). Still further, while the Examiner suggests that a light selection switch is taught, Applicant respectfully submits that the switch in Jung et al. is for changing the on/off operation of the entire apparatus (see column 8, lines 15-18) and is not for selecting a light source.

In view of the above, Applicant respectfully submits that Jung et al. does not disclose each and every element of Applicant's invention and the claims 30, 31, 33, 44 and 45 are not anticipated thereby.

Still further, Applicant has carefully reviewed Kimchy et al. and respectfully submits that Kimchy et al. does not disclose or suggest that a light source could be switched selectively to obtain the image depending on the object. In particular, Applicant respectfully submits that Kimchy et al. describes that at least two probes are provided to perform or create a diagnostic image (see paragraph 0144 and 0246 of Kimchy et al.). Accordingly, Applicant respectfully submits that Kimchy et al. does not show or suggest providing an apparatus with the simple operation of selectively switching a light source to obtain an objective image.

In view of the above, therefore, Applicant respectfully submits that Applicant's invention is not the combination suggested by the Examiner and the claims 45, 30, 31, 33 and 44 are not obvious over Jung et al. in view of Kimchy et al.

The Examiner has rejected the claims 25 through 27 and 37 through 40 under 35 USC 103 as being obvious over Jung et al. in view of Kimchy et al. and further in view of Melikechi et al.

Applicant respectfully submits that claims 25 through 27 and 37 through 40 depend directly or indirectly upon the allowed claim 1. Therefore, Applicant respectfully submits that the claims 25 through 27 and 37 through 40 are also in condition for allowance.

The Examiner has objected to the claim 34 as being of dependent form and depending upon a rejected base claim. Applicant has cancelled the claim 34 but amended the claim 1 to

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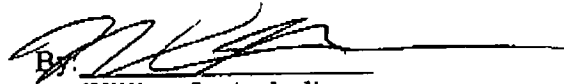
include all the limitations of claim 34 and the intervening claim 32. Accordingly, the claim 1 and all of the dependent claims depending therefrom are all allowable.

Applicant further respectively and retroactively requests a one (1) month extension of time to respond to the Office Action and respectfully requests that the extension fee in the amount of \$120.00 be charged to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.

In view of the above, therefore, it is respectfully requested that this amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to QUINN EMANUEL DEPOSIT ACCOUNT NO. 50-4367.


Respectfully submitted,



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